



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

JUL 12 2005

PATRICK F. BRIGHT  
BRIGHT & LORING  
633 WEST FIFTH STREET, #3330  
LOS ANGELES, CA 90071

In re Application of :  
William E. Baumzweiger :  
Serial No.: 09/503,656 : PETITION DECISION  
Filed: February 14, 2000 :  
Attorney Docket No.: D-9429 :

This is in response to the petition under 37 CFR 1.181, filed April 14, 2005, for withdrawal of abandonment of the above identified application based on failure to receive an Office action.

A review of the file history shows that the applicants filed Continued Prosecution Application papers (CPA) on July 24, 2002. The papers in part 11 contained a new correspondence address identical to that above except for Dr. William Baumzweiger's name appearing in place of Patrick Bright. The Office failed to note the change of correspondence address. Further, a Power of Attorney with the above address (listing Patrick Bright as addressee) was filed September 17, 2002, and was not entered on Office records which resulted in the mailing of a Final Office action, on July 6, 2004, to applicant at 1839 Ventura Blvd., Suite 245, Tarzana, CA 91350. A Notice of Abandonment was mailed to applicant at the same address on April 7, 2005, and returned by the US Postal Service as undeliverable. Applicant states that the Office action was never received. In view of the Office error in failing to change the correspondence address and other evidence presented the Notice of Abandonment is withdrawn and the application is restored to pending status with the mailing of this decision.

The petition is **GRANTED**.

**The application will be forwarded to an examiner (the examiner of record has retired) for mailing of a new Office action.**

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, P.O. Box 1450, Alexandria, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number, 571-273-8300.

  
Bruce M. Kisliuk  
Director, Technology Center 1600